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PTO/SB/31 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

0001-043001

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on 24 MAY 2005

Signature

Diane L. Gardner

Typed or printed name Diane L. Gardner

In re Application of
Hartounian et al.

Application Number
09/192,064

Filed
13 NOV 1998

For Production of Multivesicular...

Art Unit

1615

Examiner

Kishore

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☐ A check in the amount of the fee is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached. If any problem arises, see Deposit Acct. information below.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3137. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. See attached letter.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 36,518

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Diane L. Gardner
Signature

Diane L. Gardner
Typed or printed name

(760) 294-5160
Telephone number

24 MAY 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 4 forms are submitted. Plus attached letter (2 pages).

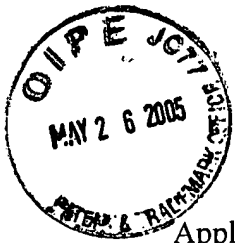
This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/27/2005 MAHMED1 00000024 09192064

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hartounian *et al.* Art Unit: 1615
Serial No.: 09/192,064 Examiner: Gollamudi Kishore, Ph.D.
Filed: November 13, 2001
Title: PRODUCTION OF MULTIVESICULAR LIPOSOMES

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The following documents are enclosed herewith:

- Transmittal Form (1 page)
- Notice of Appeal (1 page, in duplicate)
- Credit Card Payment Form (1 page)
- Confirmation Post Card

Applicants hereby appeal the decision of the Examiner in the Final Office Action dated November 24, 2004. Applicants filed a Response on January 24, 2005 within the two-month period commencing on the date of the Final Office Action. No Advisory Action has been received. The shortened statutory period for response, therefore, is six months from the date of the Final Office Action and no fees are believed to be due.

Should this conclusion be erroneous, this correspondence shall serve as a Petition for Extension of Time Under 37 C.F.R. §1.136(a) to extend the period for filing a reply. The necessary large entity fees may be charged to the credit card indicated on the attached Credit Card Payment Form (authorizing payment of the Notice of Appeal fee), or secondarily, to Deposit Account No. 50-3137.

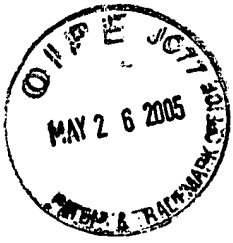
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Date of Deposit: 24 MAY 2005

I hereby certify under 37 C.F.R. §1.8 that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Mail Stop Recordation Services, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Diane L. Gardner

Diane Gardner



Please send all correspondence to:

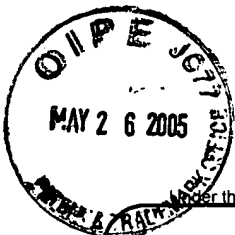
DIANE L. GARDNER
Mastermind IP Law P.C.
421 Santa Marina Court
Escondido, CA 92029
Customer No. 43517

Should you have any questions, please do not hesitate to contact the undersigned at (760) 294-5160.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diane L. Gardner".

Diane L. Gardner
Attorney for Applicants
Reg. No. 36,518
Enclosures
DLG/dn
1548.doc



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number 09/192,064

Filing Date 13 NOVEMBER 1998

First Named Inventor HARTOUNIAN

Art Unit 1615

Examiner Name KISHORE

Attorney Docket Number 0001-043001

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	CREDIT CARD PAYMENT FORM
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

NO PETITION FOR EXTENSION OF TIME AND ASSOCIATED FEE IS BELIEVED TO BE DUE. PLEASE SEE THE ATTACHED LETTER. SHOULD ANY FEES OR CREDITS BE DUE, OR IF PROBLEMS PROCESSING THE CREDIT CARD NUMBER PROVIDED ARISE, PLEASE APPLY FEES AND/OR CREDITS TO DEPOSIT ACCT. NO. 50-3137.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MASTERMIND IP LAW P.C.		
Signature			
Printed name	DIANE L. GARDNER		
Date	24 MAY 2005	Reg. No.	36,518

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	DIANE L. GARDNER	Date	24 MAY 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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